

# House File 94

HOUSE FILE \_\_\_\_\_  
BY SWAIM and ANDERSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to city waterworks franchises.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 1520HH 82  
4 eg/sh/8

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1 1 Section 1. Section 364.2, subsection 4, paragraph b, Code  
1 2 2007, is amended to read as follows:  
1 3 b. Such an ordinance shall not become effective unless  
1 4 approved at an election. The proposal may be submitted by the  
1 5 council on its own motion to the voters at any city election.  
1 6 Upon receipt of a valid petition as defined in section 362.4  
1 7 requesting that a proposal be submitted to the voters, the  
1 8 council shall submit the proposal at the next regular city  
1 9 election or at a special election called for that purpose  
1 10 before the next regular city election. However, the city  
1 11 council may dispense with such election as to the grant,  
1 12 amendment, extension, or renewal of an electric light and  
1 13 power, heating, waterworks, or gasworks franchise unless there  
1 14 is a valid petition requesting submission of the proposal to  
1 15 the voters, or the party seeking such franchise, grant,  
1 16 amendment, extension, or renewal requests an election. If a  
1 17 majority of those voting approves the proposal, the city may  
1 18 proceed as proposed. The complete text of the ordinance shall  
1 19 be included on the ballot if paper ballots are used. If an  
1 20 electronic voting system or voting machine is used, the  
1 21 proposal shall be stated on the ballot and the full text of  
1 22 the ordinance posted for the voters pursuant to section 52.25.  
1 23 All absentee voters shall receive the full text of the  
1 24 ordinance.

### EXPLANATION

1 25  
1 26 A city may grant, amend, extend or renew by ordinance a  
1 27 franchise for various utilities, including electric light and  
1 28 power, heating, gasworks, and waterworks. For certain  
1 29 franchises the ordinance must be approved at an election.  
1 30 Currently, the city council may dispense with such an election  
1 31 as to an electric light and power, heating, or gasworks  
1 32 franchise. This bill allows the city council to similarly  
1 33 dispense of an election for a waterworks franchise.  
1 34 LSB 1520HH 82  
1 35 eg:nh/sh/8